

Didenko et al. (U.S. Patent No. 6,013,438). The Office Action states that Kinney et al. discloses an automated system for processing a tissue sample. Further, the Office Action states that Kinney et al. fail to disclose that the control device regulates the flow of fluid in the claimed sequential flow as recited in the claims. The Office Action further states that the Mathiesen and Didenko references both disclose methods of fixing specimens in paraffin which include a deparaffinization step so as to remove the paraffin and further process the specimen with stain and/or further reagents. The Office Action thereafter concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kinney et al. so as to provide both the disclosed fixing procedure and the deparaffinization steps disclosed by the secondary references for the result of automating the deparaffinization steps with an automated system.

To better define the invention, applicants have amended claim 1 to recite “means for regulating pressure in the processing chamber”, “means for regulating temperature in the processing chamber” and “automatically and sequentially [regulating] temperature and pressure of the processing chamber”. In addition to the failure of the references to teach or suggest automatically and sequentially connecting the processing chamber with the container of clearant agent, the container of dehydrant agent and the container of aqueous solution in order to reprocess the specimen, the references fail to teach or suggest the regulating of the temperature and the pressure during reprocessing. These aspects, control of the liquids, temperature and pressure, work in concert in order to efficiently and effectively reprocess the specimen. Thus, the

claims are not rendered obvious by the cited references.

CONCLUSION

If for any reason an interview would be helpful to resolve any remaining issues, the Examiner is requested to contact the undersigned attorney at (312) 913-0001.

Respectfully submitted,

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Dated: January 17, 2002

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APPENDIX

1. (Amended) An apparatus for automatically reprocessing a specimen from an infiltrating medium to an aqueous fluid comprising in combination:

a processing chamber for holding a specimen;

means for regulating flow of fluid to the processing chamber;

means for regulating pressure in the processing chamber;

means for regulating temperature in the processing chamber;

at least one container of a clearant agent, at least one container of a dehydrant agent and at least one container of an aqueous fluid, the containers of clearant, dehydrant and aqueous fluid being connected to the processing chamber via means for regulating flow of fluid to the processing chamber; and

a control device having a processor and a memory device, the processor controlling the means for regulating flow of fluid, the means for regulating pressure in the processing chamber, and the means for regulating temperature in the processing chamber in order to automatically and sequentially connect the processing chamber with the container of clearant agent, the container of dehydrant agent and the container of aqueous solution in order to reprocess the specimen and in order to automatically and sequentially regulate temperature and pressure of the processing chamber while the processing chamber is sequentially connected with the container of clearant agent, the container of dehydrant agent and the container of aqueous solution.